

IN THE UNITED STATES DISTRICT COURT **FILED**
FOR THE NORTHERN DISTRICT OF OHIO

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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
AKRON

San D. Fowler

Plaintiff

-vs-

Summa Health System

Defendant(s)

525 E. Market St.
Akron, OH. 44309

5:01CV 2160

CASE NO. **JUDGE POLSTER**

MAG. JUDGE GALLAS
COMPLAINT

42:1983 - 42:2000e

I am seeking restitution for termination due to a physical disability and wrongful termination.

I was diagnosed in Nov. 98 with Bi-Lateral Carpal Tunnel by my Internal Medicine physician, Dr. Erwin Mascolall. This is a condition, in Dr. Mascolall's medical opinion, that was directly related to the job I performed while at Summa Health System as an Accounts Payable Representative for approx. 8 yrs.. This job entailed 8-10 hrs. of continuous data entry. In Feb. 99 my hand specialist Dr. Nina Nius requested an ergonomic work station evaluation be done. This evaluation was finally completed sometime in May after Dr. Nius gave me job restrictions on 3/30/99 because the ergonomic study had not been done. As a result to the doctor's restrictions, I received a phone call at home telling me to report to employee health the next morning before reporting to my work location. When I went there my return to work was denied, this was after I returned to work the day before and finished out the day. Eventually I was allowed to return only after the restrictions were lifted by the doctor, once she returned from

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Jan D. Fowler

Plaintiff

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JUDGE _____

COMPLAINT

42:1983 ÷ 42:2000c

vacation.

Events leading up to my termination, which took place 4 hrs. after my FMLA papers were submitted, lead to frequent emergency room trips, and doctor office visits because of high blood pressure / depression/anxiety. My Internal Medicine doctor spoke of how wrong the differential treatment (e.g. Needing to provide documentation showing the time I arrived at my physician's appt. and what time I left.). He offered to write a letter telling them to stop harassing me, I declined his offer, but he wrote a short summary. No one else in my dept. has ever been required to submit such documentation. Nor has anyones physician been called as my physicians were. I am seeking a monetary compensation award for these actions and for other wrongful acts because of a work-related injury and for mental anguish resulting from wrongful acts.